

MEETING OF NOVEMBER 28, 1966

COUNCIL CHAMBERS

1045th Meeting

The one thousand forty-fifth meeting of the Council of the City of Milwaukie, was held on the 28th day of November, 1966.

The meeting was called to order by Mayor Robert Richmond, with the following Councilmen present:

Edgar Fuller

Robert Richmond

Donald Graf

Paul Slominski

James Howard

also present:

Fred Dyer, City Mgr.

Barbara Watson, Secretary

Robert Mills, City Att'y.

As the Rev. Herbert G. Read, was unable to be present, no invocation was given.

It was moved by Slominski, seconded by Graf, that the minutes of the special meeting, November 9, 1966, be approved as written. Motion carried and so ordered.

It was moved by Slominski, seconded by Graf, that the minutes of the regular meeting, November 14, 1966, be approved as written. Motion carried and so ordered.

OREGON TRANSFER CO.

With reference to the offer made by the Oregon Transfer Co. for the purchase of land adjacent to their property in the Kellog Park Industrial area, the Manager advised that appraisals had been

made on this land. Written appraisal from Kronberg Realty on T.L. 41-1, Meek D.L.C., was \$9281.12. They noted that this land was land-locked and that this had been taken into consideration in their appraisal. Verbal appraisals from two other realtors, were \$3,000. to \$4,000. for this same piece of property.

Mr. E. C. Sammons, Jr., President of Oregon Transfer Co., addressed the Council and advised that the \$800. was a token offer as they felt that this land would be of no practical use to the City at a later date, if Oregon Transfer does not purchase the land and instead proceeds with their building on the property they now own.

It was moved by Slominski, seconded by Howard, that the Council set a price of \$5,000. for the property in question. Motion carried and so ordered.

LIQUOR LICENSE RENEWAL

It was moved by Howard, seconded by Graf, that the Council approve the renewal for liquor licenses on the following:

Open Pantry Food Market - PB Pkg. Store Class "B"
Don's for Dinner - DB Class "B" Disp.
Day-Nite Grocery - PB Pkg. Store Class "B"

Motion carried and so ordered.

Request of Council approval for Liquor License to Theo Hamm Brewing Co. was referred to the Manager for further information.

ADDITIONAL ELECTION INFORMATION

Notice from Clackamas County Clerk advising of the write-in votes at the election held November 8, 1966, was read. The final tabulation on the election results are as follows:

| <u>Precinct No.</u> | <u>Mayor</u> <u>R. Richmond</u> | <u>Councilman</u> | | <u>Tax Base Measure</u> | |
|---------------------|------------------------------------|-------------------|----------------|-------------------------|-----------|
| | | <u>Clore</u> | <u>Strauss</u> | <u>Yes</u> | <u>No</u> |
| 10 | 497 | 315 | 315 | 369 | 199 |
| 11 | 308 | 204 | 211 | 254 | 136 |
| 12 | 391 | 280 | 256 | 292 | 191 |
| 13 | 522 | 358 | 374 | 367 | 269 |
| 14 | 470 | 371 | 303 | 332 | 256 |
| 15 | 214 | 179 | 148 | 141 | 112 |
| 16 | 339 | 201 | 284 | 260 | 169 |
| 17 | 596 | 342 | 478 | 443 | 312 |
| 18 | 335 | 191 | 251 | 273 | 126 |
| 19 | 511 | 299 | 403 | 404 | 201 |
| absentee | 94 | 50 | 70 | 62 | 49 |
| TOTAL | 4277 | 2790 | 3093 | 3197 | 2020 |

Write-ins for Councilmen at large

McMinamin 8
Hugh Templeton 1
Jay Schachtal 1
Blake 1

Write-ins for Mayor

Earl Clay 2
Leonard Mullen 1
Max Thompson 1

TRAFFIC CONTROL REQUEST

Petition was read requesting traffic control at 35th and Washington Street. (Signed by 10 residents). This matter was referred back to the Manager for study and recommendation.

ANNEXATION

Memo from the Planning Commission was read recommending annexation of T.L. 17, 17-1, 17-1-1, Daniel Hathaway D.L.C.

It was moved by Howard, seconded by Graf, that the Planning Commission's recommendation be accepted. Motion carried and so ordered.

It was moved by Howard, seconded by Graf, that the Planning Commission's recommendation be accepted. Motion carried and so ordered.

It was moved by Graf, seconded by Howard, that Ordinance No. 1139, be taken up for its first reading. Motion carried and so ordered.

After completion of the reading, it was moved by Graf, seconded by Howard, that Ordinance No. 1139 be moved to its second reading by title only at this time. Motion carried and so ordered.

Ordinance No. 1139 (AN ORDINANCE PROVIDING FOR THE PROCEDURE TO ANNEX, WITHOUT ELECTION, CERTAIN TERRITORY, CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FIXING A DAY FOR PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ON THE QUESTION OF SUCH ANNEXATION, DIRECTING PUBLICATION OF NOTICE OF SUCH HEARING AND DECLARING AN EMERGENCY.) was taken up and read by title only for its second reading and put on its passage with the following roll call vote. AYES: Fuller, Graf, Howard, Slominski and Richmond. NOES: None. Ord. No. 1139 passed the Council and was so declared by the Mayor.

Council directed notices be sent to property owners that will be in the surrounded area created by above annexation.

REQUEST FOR SEWER CONNECTION

Letter from Mr. and Mrs. Bill R. Case, 6019 SE Harmony Rd., Milwaukie, dated Nov. 23, 1966, was read, requesting he be allowed to connect to Omark Sewer the proposed 40 unit apartment. This property is presently outside the City limits of Milwaukie, with the exception of a small portion of the land.

The question was raised as to whether or not this sewer line would be able to handle the anticipated future needs of the industrial area already in the City.

It was moved by Graf, seconded by Howard, that this matter be tabled until the City Engineer submits a report as to the capacity of the line, feasibility, etc. of adding the proposed apartments to the line. Motion carried and so ordered.

AMERICAN LEGION REPRESENTATIVE

Mr. Ted Forrester, from the American Legion, Post #180, came before the Council and introduced himself, stated he was there on behalf of the Legion to offer their assistance whenever needed.

HEARING - Mr. Ierulli/Mrs. Lavagetto

Mr. Ierulli, Attorney for Mrs. Lavagetto, addressed the Council, explaining the reason for the letter previously mailed to the Councilmen, dated November 16, 1966. He stated that Mrs. Lavagetto desired to build a house on her lot (T.L. 139-1-2, Lot Whitcomb D.L.C.,) and was denied a building permit. There is a 15 ft. easement from Lava Drive to Mrs. Lavagetto's property, but no dedicated street right-of-way.

Mr. Ierulli was advised that by CITY Ord. No. 481, a building permit could not be issued unless the property abutted at least one street for 25 ft., and it was for this reason that a permit was denied.

It was moved by Fuller, seconded by Howard, that this matter be referred to the Planning Commission for their action and recommendation. Motion carried and so ordered.

City Engineer advised that this matter had previously been presented to the Planning Commission and in listening back over the tape recording of that meeting, the comments of the Commissioners were that they would not consider a building permit with the present roadway going back to the property in question.

Recess was called, reconvening at 9:10 p.m., with all Councilmen present.

CCB102

INCREASE IN PETTY CASH FUND

It was moved by Howard, seconded by Slominski, that the Petty Cash Fund be increased to \$100., and that a resolution be prepared authorizing this change. Motion carried and so ordered.

DELEGATES TO NAT'L MUNICIPAL LEAGUE

It was moved by Howard, seconded by Fuller, that Councilman Slominski and City Manager Fred Dyer, be delegated to represent the City at the Nat'l Municipal League, with convention costs to be paid by the City. Motion carried and so ordered.

Councilman Graf suggested that a policy be established for selecting future representatives to these conventions.

RETURN OF CASH BOND

It was moved by Slominski, seconded by Graf, that the cash bond held by the City for the performance of Regents Drive street construction be returned, as the streets have been in use for the one year period required. Motion carried and so ordered.

RECOMMENDED CHANGE IN PERSONNEL RULES

Memo from the Manager was discussed with regard to the recommended change in the vacation, sick leave and holiday time for the Fire Dept. personnel working a 56 hour work week. It was his recommendation that any employee working other than 40 hours per week be allowed holiday, sick leave, and vacation benefits in the ration of his working hours to 40 hours.

It was moved by Howard, seconded by Graf, that the City Manager's recommendation be accepted and the Attorney be directed to prepare an amendment to the Personnel Rules covering these changes. Motion carried and so ordered.

RESOLUTION NO. 52-1966

It was moved by Howard, seconded by Graf, that Resolution No. 52-1966, be adopted. Motion carried and so ordered. (Resolution commending the Tax Base Committee for their work.) **

CANCELLATION OF DEC. 26 MEETING

It was moved by Fuller, seconded by Slominski, that December 26th meeting of the Council be cancelled, as this is a City Holiday. Motion carried and so ordered. (If necessary, a special meeting date will be set at the Dec. 12 meeting.

DRAFT OF HOUSE MOVING ORDINANCE

It was moved by Howard, seconded by Graf, that the City Manager and City Attorney prepare an Ordinance based on the House Moving draft submitted by the Manager. Motion carried and so ordered.

PAYMENT OF BILLS

It was moved by Graf, seconded by Howard, that the following bills be approved and that warrants be drawn for the payment of same. Motion carried and so ordered. *

CITY CHRISTMAS PROGRAM

The Mayor announced that the Ministerial Association had set Sunday, December 4, 1966, 3:00 p.m., as the date for the pre-Christmas program on City Hall lawn.

UPDATING ORDINANCE BOOKS

Manager suggested that the Council's Ordinance books be returned for updating.

STREET VACATION

The Manager informed the Council that he had received a request for street vacation on a portion of a street that will eventually be taken by the State for the Expressway. The owner of the property is attempting to sell his home and is unable to obtain a loan until he can get a physical barrier between his property and where the proposed expressway will run.

It was moved by Graf, seconded by Fuller, that the Manager be authorized to initiate proceedings for street vacation of that portion of Sellwood Street, between 35th and 37th within the Expressway right-of-way. Motion carried and so ordered.

LETTER-CLACKCO WATER DISTRICT

A letter from the Clackamas Water District, dated November 22, 1966, was noted, confirming the sale of water to Milwaukie for the Cedarcrest development and for the proposed school in that area at a rate of 17¢ per 100 cu.ft.

LETTER FROM J.C.'S

Letter from Milwaukie J.C.'s was read, informing the Council of the future plans of the J.C. Community Improvement Investigation Committee.


LETTER FROM MAYOR BAUER

Letter from Mayor Bauer, City of Gladstone, dated November 23, 1966, was read, expressing disapproval of the duplication of charges made for care of individuals held in the County jail awaiting hearing or serving a set term.


It was moved by Graf, seconded by Howard, that Mayor Richmond be directed to write Mayor Bauer and express the Council's concurrence with his feelings on the additional charge to the Cities for care of prisoners. Motion carried over Fuller's dissension.

ADJOURNMENT

On motion duly made and seconded, the meeting adjourned.


Robert E. Richmond, Mayor

ATTEST:


Barbara J. Watson, Secretary

| | |
|--------------------------|----------|
| * Abbott & Lind | \$ 22.85 |
| Americana Interstate | 6.40 |
| American Barricade Co. | 7.50 |
| American Bldg Mntnce | 127.50 |
| American Library Ass'n | 36.00 |
| American Red Cross | 30.50 |
| Bethel #24, Job's Daugh. | 10.00 |
| R. R. Bowker Co. | 35.50 |
| Boxer-Marcus Co. | 130.00 |
| Dallas Brown | 99.75 |
| Cantel Inc. | 8.23 |
| Carpenter Paper Co. | 4.62 |
| Clackamas County | 417.75 |
| Communc. Specialists | 38.90 |
| Demco Library Supplies | 22.20 |
| Dieringer's | 61.53 |
| Jas F Dinnsmore, MD | 20.00 |
| Fred Dyer | 15.60 |
| Evergreen Libry Serv. | 298.54 |
| G&S Janitor Supply Co. | 48.75 |

| | |
|---------------------------|----------|
| Gaylord Bros, Inc. | \$ 56.95 |
| Gerber Mfg Co, Inc. | 498.38 |
| Grossenbacker Bros, Inc. | 21.00 |
| Hunt's Cleaners | 99.40 |
| Industrial Gasket Co. | 1.00 |
| Intn'l City Mngr Ass'n | 7.50 |
| Jury Duty | 30.00 |
| Landeem Med Supply (Oxyn) | 11.48 |
| Milwaukie Review | 48.75 |
| Milwaukie Sand & Gravel | 13.75 |
| Munnell & Sherrill | 15.84 |
| Neptune Meter Co. | 112.60 |
| Nat'l League of Cities | 111.00 |
| NW Natural Gas | 98.29 |
| Ore. Toro Distrb, Inc | 3.60 |
| R. E. Osborne | 10.40 |
| P & M Millwork | 1,500.00 |
| J. C. Penney Co. | 32.98 |
| Pennzoil Co. | 6.25 |
| Perry Pharmacy | 35.65 |
| Petty Cash | 23.49 |
| Pioneer Nat'l Title | 1.50 |
| Portland Conc. Pipe | 15.00 |
| Poulson-Wilson Inc | 205.79 |
| Power Transmission Prod. | 4.00 |
| Publisher's Central Bur. | 5.25 |
| Pump, Pipe, & Power Co. | 102.01 |
| RCA Service Co. | 17.85 |
| Richfield Oil Corp. | 602.12 |
| Sanderson Safety Supply | 317.41 |
| Silver, Burdett Co. | 7.60 |
| State of Oregon | 70.00 |
| Max Thompson | 9.44 |
| Univac | 200.00 |
| Volunteer Fire Dept. | 42.00 |
| B. T. Walton | 710.10 |
| Water Fund | 404.86 |
| Waterworks Supply Co. | 322.56 |
| H. W. Wilson Co. | 6.00 |

**

RESOLUTION NUMBER 52-1966

WHEREAS, the tax base last established for the City of Milwaukie had become wholly inadequate for the City in the year 1966, and

WHEREAS, the City's planning and implementation of services for the development and growth of the City had been hampered by the limitations imposed by the out-dated tax base, and

WHEREAS, a committee of dedicated citizens freely organized and gave of their time and effort in support of a measure revising the municipal tax base, and

WHEREAS, a new tax base, adequate for the future growth and development of the City of Milwaukie was approved by the voters in the election held November 8, 1966,

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Milwaukie does hereby commend the following members of said tax base committee for their tireless effort in aiding the passage of a new City tax base, and that a copy of this resolution be spread upon the minutes of the proceedings of this body.


Irwin Adams, Chairman
 Gayl Caramella
 Frank Clore
 Willard Cox
 Mrs. Luella Crain
 Robert Crain
 Mrs. Alene Croft
 Melvin DeLashmutt

Tom McMenamin
 Howard Muschalik
 Gordon Rood
 Ralph Rowlands
 Richard Shindler
 Mrs. Fred Schmidt
 Dave Sidden
 Mrs. Jane Smith


Robert Franz
Gary Hart
Kenneth Levstone
Robert Richmond
Fred Dyer
Max Thompson

Robert Swan
Clyde Williams
Donald Graf
Edgar Fuller
Dr. Paul Slominski
Dr. James Howard

ADOPTED THIS 28th DAY OF NOVEMBER, 1966.


Robert E. Richmond, Mayor

ATTEST:


R. E. Osborne, Recorder